

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MUHAMAD EHAB SABRA,

Petitioner,

v.

NEIL CLARK,

Respondent.

CASE NO. C06-1832-RSL-JPD


REPORT AND  
RECOMMENDATION

On December 27, 2006, petitioner Muhamad Ehab Sabra, proceeding pro se, filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, challenging his detention by the U.S. Immigration and Customs Enforcement ("ICE"). (Dkt. #4). On March 9, 2007, respondent filed a Supplemental Submission in Support of Motion to Dismiss, and submitted documents indicating that petitioner was released from custody on March 7, 2007, and is no longer detained by ICE. (Dkt. #20). Respondent asserts that because petitioner is no longer detained by ICE, petitioner's habeas petition should be dismissed as moot.

Because petitioner is no longer in ICE custody, the Court finds that petitioner's habeas petition should be dismissed as moot. *See, e.g., Cooney v. Edwards*, 971 F.2d 345, 346 (9<sup>th</sup> Cir.

1 1992)(holding that the District Court properly dismissed plaintiff's claims that had become either  
2 moot or unripe). Accordingly, I recommend that respondent's motion to dismiss be granted  
3 (Dkt. #14), and that this action be dismissed without prejudice. A proposed Order accompanies  
4 this Report and Recommendation.

5 DATED this 14th day of March, 2007.

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7 JAMES P. DONOHUE  
8 United States Magistrate Judge  
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